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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/447,718	11/23/1999	HIDETO KOHTANI	35.G2007D1	4167

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FITZPATRICK, CELLA, HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112-2200

EXAMINER

EBRAHIMI DEHKORDY, SAEID

ART UNIT	PAPER NUMBER
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2626

DATE MAILED: 06/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/447,718	Applicant(s) KOHTANI ET AL.	
	Examiner Saeid Ebrahimi-dehKordy	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 37-51 and 58-78 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 46-51 and 58-78 is/are allowed.
- 6) ☒ Claim(s) 37-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

1. Applicant's arguments with respect to claim 37-45 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 37-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maniwa (U.S. patent 5,764,866) in view of Tomida et al (U.S. patent 5,923,439)

Regarding claim 37 Maniwa discloses: An image processing apparatus (please note Fig.1 item #4) connectable to an external device (Fig.1 item # 3) that can transmit printing data and connectable (please note Fig.1 where the host 3, processing apparatus 4, and scanner 14 are connected together) to an original-reading unit (Fig.1, item 14) which generates image data by reading an original image (please note Fig.1, column 7 lines 34-41) said image processing apparatus being operable with an image forming unit (Fig.1 item 15 the print engine) which forms an image on a sheet (please note column 7 lines 6-12) said image processing apparatus comprising: an engine controller adapted to control the image forming unit based on image data (please note Fig.1 items 15 and 19 the print engine and controller respectively, column 6 lines 43-54) a printer controller (Fig.1 item 20) adapted to receive printing data from the external device (Fig.1 item 3) and to transmit image data corresponding to the printing

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data to said engine controller (please note Fig.1 item 20 where the controller controls the printing unit which receive image data, column 8 lines 9-14)

a reader controller (note Fig.1 item 14) adapted to receive image data generated by the original-reading unit (note Fig.1 item and to transmit the image data to said engine controller (please note Fig.1 items 21 and 20, column 7 lines 64-67 and column 8 lines 1-16) However Maniwa does not disclose: a transmitting unit adapted to transmit a state signal indicating a condition of the image forming unit to at least one of said printer controller and said reader controller; and a selecting unit adapted to select whether said transmitting unit transmits the state signal to said printer controller or to said reader controller in accordance with a content of the state signal .On the other hand Tomida et al discloses: a transmitting unit (note item 21 and 29 in combination) adapted to transmit a state signal indicating a condition of the image forming unit to at least one of said printer controller and said reader controller (note Fig.1 items 21 in combination with item 29 and flags. F &G, column 5 lines 36-49 where the flags on device 29 of Fig.2 the EEPROM determine the state of the printer by setting the flag number to 1 or 0 indicating the busyness or readiness of the printer) and a selecting unit adapted to select whether said transmitting unit transmits the state signal to said printer controller or to said reader controller in accordance with a content of the state signal (note column 7 lines 1-8 where the cpu acts as the selecting unit to determine whether the flag f should be up or not to sent signal to the print). Therefore it would have been obvious to a person of ordinary skill in art at the time of the invention to modify Maniwa's invention according to the teaching of Tomida et al , where Tomida et al teaches the

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way the communication Signals would be send through the use of cpu 12 and flags in EEPROM 29 for the purpose of determining the state of the printer.

Regarding claim 38 Tomida et al disclose: The apparatus according to claim 37, wherein said selecting unit (note Fig.2 item 21 the processor acting as the selecting unit) selects whether said transmitting unit transmits the state signal to said printer controller or said reader controller in accordance with which of the printer controller and the reader controller is transmitting image data to said engine controller (please note Fig.2 item 29 and 21 acting in combination to transmit signals to the printer).

Regarding claim 39 Tomida et al disclose: The apparatus according to claim 37, wherein the condition indicated by the state signal is a change in a state of the image forming unit (please note Fig.2 item 21 and 29 where the signals and transmitting data is determined based on the flag situations and cup transmitting it).

Regarding claim 40 and 43 Maniwa discloses: A controller for an image forming apparatus (Fig.1 item 4) connectable to an external device (please note Fig.1 item 3) and connectable to an original-reading device unit (please note Fig.1 item 14) which generates image data by reading an original image (please note Fig.1, column 5 lines 47-56) the image forming apparatus being operable with an image forming unit for forming an image on a sheet wherein the image forming apparatus comprises (please note column 7 lines 34-40) a printer controller adapted to receive printing data from the external device and to transmit image data corresponding to the print data (please note column 8 lines 6-12) and an engine controller adapted to control the image forming unit said controller comprising: a first reception unit adapted to receive the (please note

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Fig.1 item 21) image data generated by the original-reading unit (please note column 7 lines 63-67) a second reception unit adapted to receive the (Fig.1 item 24) image data transmitted by the printer controller (please note Fig.1 items 21 and 24 where the image data received by the device 21 is transmitted to the receiving device memory 24, column 7 lines 64-67 and column 8 line 1). However Maniwa does not quite disclose: a first selection means adapted to select one of the image data received by said first reception unit and the image data received by said second reception unit and to transmit the selected image data to the engine controller; and a transmitting unit adapted to transmit for selectively transmitting a state signal indicating a condition of the image forming unit to at least one of a processor, which controls the original-reading unit and the printer controller,. And a second selecting unit adapted to select whether said transmitting unit transmits the state signal to processor or to the print controller in accordance with a content of the state signal. On the other hand Kodama discloses: a first selection means (please note Fig.2 item 21 the processor which acts as a selection means) adapted to select one of the image data received by said first reception unit and the image data received by said second reception unit and to transmit the selected image data to the engine controller (note Fig.2 and receiving data by the EEPROM) and a transmitting unit adapted to transmit for selectively transmitting a state signal indicating a condition of the image forming unit to at least one of a processor, which controls the original-reading unit and the printer controller (note Fig.1 items 21 in combination with item 29 and flags. F &G, column 5 lines 36-49 where the flags on device 29 of Fig.2 the EEPROM determine the state of the printer by setting the

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flag number to 1 or 0 indicating the busyness or readiness of the printer). And a second selecting unit adapted to select whether said transmitting unit transmits the state signal to processor or to the print controller in accordance with a content of the state signal singal (note column 7 lines 1-8 where the cpu acts as the selecting unit to determine whether the flag f should be up or not to sent signal to the print). Therefore it would have been obvious to a person of ordinary skill in art at the time of the invention to modify Maniwa's invention according to the teaching of Tomida et al, where Tomida et al teaches the way the communication Signals would be send through the use of cpu 12 and flags in EEPROM 29 for the purpose of determining the state of the printer.

Regarding claim 41 Tomida et al disclose: The controller according to claim 40, wherein said second selecting (note Fig.2 item 21 the processor acting as the selecting unit) unit selects whether said transmitting unit transmits the state signal to the processor or the printer controller also in accordance with a source of the selected image data selected by said first selecting unit (please note Fig.2 item 29 and 21 acting in combination to transmit signals to the printer).

Regarding claim 42 Tumid et al disclose: The controller according to claim 40, wherein the condition indicated by the state signal [indicates that there] is a change in a state of the image forming device (please note Fig.2 item 21 and 29 where the signals and transmitting data is determined based on the flag situations and cup transmitting it).

Regarding claim 44 Tomida et al disclose: The method according to claim 43, wherein said second selecting step (note Fig.2 item 21 the processor acting as the selecting unit) selects whether the state signal is transmitted to the processor or to the

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printer controller in accordance with a source of the selected image data in said first selecting step (please note Fig.2 item 29 and 21 acting in combination to transmit signals to the printer).

Regarding claim 45 Tomida et al disclose: The method according to claim 43, wherein the condition indicated by the state signal is a change in a state of the image forming device (please note Fig.2 item 21 and 29 where the signals and transmitting data is determined based on the flag situations and cup transmitting it).

Allowable Subject Matter

4. Claim 58-60 and 73-74 are allowed.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Contact Information

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- Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Saeid Ebrahimi-Dehkordy* whose telephone number is (571) 272-7462.

The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 5:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams, can be reached at (571) 272-7471.

Any response to this action should be mailed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

Or faxed to:

(703) 872-9306, or (703) 308-9052 (for **formal** communications; please mark
"EXPEDITED PROCEDURE")

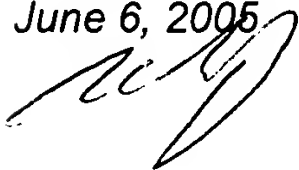
Or:

(703) 306-5406 (for **informal** or **draft** communications, please label
"PROPOSED" or "DRAFT")

Hand delivered responses should be brought to Knox building on 501 Dulany Street, Alexandria, VA.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 305-4750.

Saeid Ebrahimi-Dehkordy
Patent Examiner
Group Art Unit 2626
June 6, 2005



KA Williams
KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER